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February 7, 2008
FILED VIA ECF

OUR FILE NO. 365652-1

Honorable Noel L. Hillman
United States District Court, District of New Jersey
Mitchell H. Cohen U.S. Courthouse, Room 6020
1 John F. Gerry Plaza
Camden, NJ 08101

Re: MDL-1850 – *In re Pet Food Products Liability Litigation*
Objection filed by Donald R. Earl to the Order dated December 18, 2007

Dear Judge Hillman:

This letter is a follow up to my letter dated February 5, 2008 related to the Objection to Pet Food Evidence Disposal Plan Approved on December 18, 2007 ("Objection") filed by Donald Earl. A copy of my February 5, 2008 letter is attached. In my February 5 letter, I noted that Mr. Earl is not a class member with standing to raise this Objection and he has a forum in Washington State, where he filed his action and where Menu Foods filed its Motion to Limit the Retention of Organized Recalled Product, Raw Wheat Gluten and Unorganized Inventory (the "Washington State Preservation Motion"). I also noted on page 2 of the letter, note 2, that Mr. Earl's complaint has been dismissed twice, his case is on appeal, and, that because of the appeal, Menu Foods was going to file an emergency motion in the Court of Appeals for the State of Washington to permit the lower court to rule on Menu Foods' Washington State Preservation Motion.

I am pleased to report that Menu Foods filed its emergency motion on February 6 and it was granted by the Washington State Court of Appeals on the same day. A copy of the Court of Appeals' Order is also attached. Menu Food's Washington State Preservation Motion is being noticed for a hearing on February 15, 2008 in the Superior Court for Jefferson County. As a result, Mr. Earl has a forum to air any of the issues raised in his Objection at the February 15, 2008 hearing. Therefore, we renew our request that this Court reject Mr. Earl's purported Objection.

Respectfully submitted,

Amy W. Schulman

Enclosures

cc: Donald R. Earl
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